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November 14, 2008

VIA ELECTRONIC & US MAIL

Ms. Alice Yeh
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: Monthly Progress Report No. 18 – October 2008
Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)
CERCLA Docket No. 02-2007-2009**

Dear Ms. Yeh:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- The CPG held a press event on October 22 attended by representatives of several of the local newspaper and TV stations to observe sediment coring and sample collection field work on the Lower Passaic River (LPR).
- CPG participated in the Newark Bay (NB) team conference call with EPA on October 15, 2008.

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- On October 1, EPA provided to CPG their Responses to Comments on draft Field Sampling Plan Volume 2 (FSP2).
- On October 6, EPA provided comments via e-mail to CPG on the CPG's draft Quality Assurance Project Plan (QAPP) for periodic bathymetry surveys.
- On October 7, CPG sent EPA a revised QAPP for periodic bathymetry surveys via e-mail. EPA approved the QAPP by e-mail to CPG on the same day.
- EPA forwarded additional comments from Dr. Roger Flood regarding the CPG response to EPA comments on the 2007 bathymetry survey. No formal response to these comments was requested by EPA; however, the CPG did review the comments to determine their applicability to the upcoming 2008 survey.
- On October 9, CPG sent an e-mail to EPA inquiring about the status of the LPR/NB Sediment Transport Model.
- On October 15, CPG submitted the September monthly progress report to EPA.
- On October 29, CPG submitted revision 4 to the Low Resolution Coring (LRC) program QAPP.

Work

- CPG continues work on the LRC program; 88 sediment sampling locations of the proposed 115 locations have been completed and a total of 511 of an estimated 756 samples collected. The number of samples processed which includes QC samples (duplicates, MS/MSD and EPA split samples) is 579 as of October 31, 2008.
- CPG completed its initial review of the EPA CSO/SWO Monitoring Plan, which was submitted to the CPG on August 27, 2008.
- CPG initiated review and discussion of collection of physical water column data. CPG also had discussions with Tierra Solutions to coordinate this effort with the NB RI/FS portion of the monitoring program.
- CPG held several coordination calls with Deltares and Moffatt & Nichols regarding reviews of existing data, potential data collection, and modeling coordination with the RI/FS.
- CPG is continuing to transition information to the modeling team of Moffatt & Nichols and Deltares. CPG has transferred modeling files and other data to these firms. Regular communication is occurring among the project team and with the modeling firms, including web-based presentations on the data, which are taking place approximately every two weeks.

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- The CPG continues to review EPA's Responses to Comments prepared by CPG, Tierra Solutions and Partner Agencies (PA) on draft FSP2 in August 2006. A meeting is now planned for December 3 to review and clarify the EPA Responses to Comments.

(b) Results of Sampling and Tests

- PDFs of the lab data packages and copies of lab EDD files, received in October 2008 will be provided to EPA under separate cover.
- A Region 2 MEDD submittal of data validated in October 2008 will be provided as an upload to the EPA PREmis web portal.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will continue the LRC field work, with completion of the effort now scheduled for on or about December 9.
- CPG will complete the 2008 bathymetry study, with a tentative mobilization date of November 17 for this field work. EPA will be notified in advance of the field mobilization.
- CPG is planning for a December 3 meeting with EPA and PA to review and discuss EPA's Responses to Comments, clarify key issues, and identify unscoped tasks in FSP2.
- CPG will continue to integrate the modeling team into the project through web-based presentations of the investigation and historical site data.
- CPG will meet with EPA and Tierra Solutions on November 18 to discuss technical elements of the proposed CSO/SWO Monitoring Work Plan.
- CPG and EPA will initiate the bi-monthly modeling calls on November 17, 2008.

(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

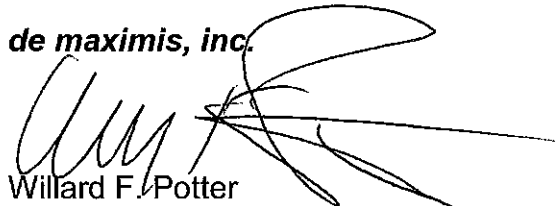
The CPG Modeling Team has not yet received the sediment transport numerical model from the EPA. Based on conversations with EPA, the receipt of this model is now expected in February 2009 which was previously anticipated in September 2008.

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If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.


Willard F. Potter
Project Coordinator

cc: Sarah Flanagan, EPA Office of Regional Counsel
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